

## REMARKS

### INTRODUCTION:

A request for consideration was filed August 9, 2004. An Advisory Action mailed August 23, 2004 indicated by checking blocks 2 and 2(a) that the proposed amendments to claims 1-3 would not be entered because they raised new issues requiring further consideration and/or search. An RCE is filed concurrently herein and in accordance with the foregoing, claims 1-3, and 17 have been amended. No new matter is being presented, and approval and entry are respectfully requested. Support for the amendments to claims 1-3 can be found, for example, in the Specification at page 14, lines 3-16, and lines 21-27.

Claims 1-20 are pending and under consideration. Claims 14-20 were allowed. Claims 1-13 are rejected. Reconsideration is requested.

Further, the Examiner has not yet indicated that the submitted drawings have been accepted. Applicants respectfully request that the Examiner accept the submitted drawings.

### REJECTIONS UNDER 35 U.S.C. §102:

In the Office Action, at page 2, paragraph 2, the Examiner rejected claims 1-4, 6 and 12 under 35 U.S.C. §102 (e) as being anticipated by Ouchi et al. (U.S. Patent No. 6,299,542 – hereinafter Ouchi). The reasons for the rejection are set forth in the Office Action and therefore not repeated. Applicants traverse this rejection and respectfully request reconsideration.

Amended, independent claim 1 recites: "...the outer race being made of a medium carbon steel; and each post-hardening cut surface having a surface roughness not greater than 0.8 as stipulated in B0601 of JIS standards."

Amended claim 2 recites: "...the inner race is made of a case hardening steel; and each post-hardening cut surface has a surface roughness not greater than 0.8 as stipulated in B0601 of the JIS standards."

And amended claim 3 recites: "...the retainer is made of a case hardening steel; and each post-hardening cut surface has a surface roughness not greater than 0.8 as stipulated in B0601 of the JIS standards."

Applicants respectfully submit that the medium carbon steel of the outer race, as claimed in claim 1, is suitable for hardening. Additionally, Applicants respectfully submit that the case hardening steel of the inner race (as claimed in claim 2) and the retainer (as claimed in claim 3) is suitable for hardening, for example, carburizing.

Applicants respectfully submit that Ouchi neither discloses nor suggests an outer race made of a medium carbon steel and having post-hardening cut surfaces with a surface roughness not greater than 0.8 as stipulated in B0601 of the JIS standards.

Applicants further submit that Ouchi neither discloses nor suggests an inner race made of a case hardening steel and having post-hardening cut surfaces with a surface roughness not greater than 0.8, or a retainer made of a case hardening steel and having post-hardening cut surfaces with a surface roughness not greater than 0.8 as stipulated in B0601 of the JIS standards.

Thus, Applicants respectfully submit that claim 1 patentably distinguishes over the cited art, and should be allowable for at least the above-mentioned reasons. Further, Applicants respectfully submit that claims 2-4, 6, and 12, which depend from independent claim 1, should be allowable for at least the same reasons as claim 1, as well as for the additional features recited therein.

#### REJECTIONS UNDER 35 U.S.C. §103:

In the Office Action, at page 4, first paragraph, the Examiner rejected claim 5 under 35 U.S.C. §103(a) as being unpatentable over Ouchi in view of Krude (U.S. Patent No. 4,529,254 – hereinafter Krude). The reasons for the rejection are set forth in the Office Action and therefore not repeated. Applicants traverse this rejection and respectfully request reconsideration.

In the Office Action, at page 4, last paragraph, the Examiner rejected claims 7-9 under 35 U.S.C. §103(a) as being unpatentable over Ouchi in view of Yamamoto et al. (U.S. Patent No. 6,367,981 – hereinafter Yamamoto). The reasons for the rejection are set forth in the Office Action and therefore not repeated. Applicants traverse this rejection and respectfully request reconsideration.

In the Office Action, at page 5, second paragraph, the Examiner rejected claims 10-11 under 35 U.S.C. §103(a) as being unpatentable over Ouchi in view of Jacob et al. (U.S. Patent No. 5,580,313 – hereinafter Jacob). The reasons for the rejection are set forth in the Office Action and therefore not repeated. Applicants traverse this rejection and respectfully request reconsideration.

In the Office Action, at page 6, second paragraph, the Examiner rejected claim 13 under 35 U.S.C. §103(a) as being unpatentable over Ouchi. The reasons for the rejection are set forth in the Office Action and therefore not repeated. Applicants traverse this rejection and respectfully request reconsideration.

Applicants respectfully submit that claims 5, 7-11, and 13, which ultimately depend from independent claim 1, should be allowable for at least the same reasons as claim 1, as well as for the additional features recited therein.

#### CONCLUSION:

In accordance with the foregoing, Applicants respectfully submit that all outstanding objections and rejections have been overcome and/or rendered moot, and further, that all pending claims patentably distinguish over the cited art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited. At a minimum, this Amendment should be entered at least for purposes of Appeal as it either clarifies and/or narrows the issues for consideration by the Board.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited and possibly concluded by the Examiner contacting the undersigned attorney for a telephone interview to discuss any such remaining issues.

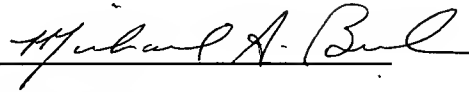
If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Serial No.: 09/995,678

Respectfully submitted,

STAAS & HALSEY LLP

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By: 

Michael A. Bush  
Registration No. 48,893

1201 New York Avenue, NW, Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501